

1 Fed.R.Crim.P.32.2, and 21 U.S.C § 853 (n)(2), and moves this court to enlarge the time to file a
2 response to the Government's motion to dismiss the third party complaint.. In reply the
3 defendant submits as follows:

- 4
- 5 1. The Government has filed a motion to dismiss third party action.
- 6 2. The appearing counsel is before this Court in trial on case No. 04-1135 (HL).
- 7 3. The claimant is presently in the country of Colombia, South America.
- 8 4. Time is needed for the appearing counsel to contact the claimant and discuss certain
9 issues before the appearing counsel files a response to the Government's motion to
10 dismiss the third party claim.
- 11 5. The appearing counsel has been preparing for the case before this court and has not have
12 the time to divert efforts to other cases given that the case before the court has been
13 postponed twice and this Court has indicated that the case begins on Monday August 22,
14 2005.
- 15 6. The appearing party respectfully requests until August 31, 2005 to file the response to the
16 Government's motion to dismiss.
- 17
- 18
- 19
- 20

21 **WHEREFORE** appearing claimant –Nelly Esperanza Bejerano- respectfully prays to this
22 Honorable Court to grant additional time until August 31, 2005 to file a response tot eh
23 Government's motion to dismiss third party claim.
24
25
26
27
28

Respectfully submitted,

In San Juan, Puerto Rico, this August 21, 2005

Lorenzo J. Palomares Starbuck

Lorenzo J. Palomares-Starbuck, Esq.

USDC-PR # 218107

Lorenzo Palomares, P.S.C.

Attorneys & Counselors at Law

500 Munoz Rivera Ave. Centro II, Suite 1402

San Juan, P.R.00918

Tel (787)753-7441

Fax (787)758-3331

CERTIFICATE OF SERVICE

I certify that on this day August 21, 2005 a copy of this amended verified complaint was sent via the CM/CEF electronic filing to counsel for the government Ms. Aramis Rios, Esq. AUSA.

Lorenzo J. Palomares Starbuck